

**STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON**

RESOLUTION NO. 2017-013

**A RESOLUTION IMPOSING A 90 DAY MORATORIUM ON THE ISSUANCE
OF ALL ALCOHOL LICENSING PERMITS FOR AGE-RESTRICTED
ESTABLISHMENTS WITHIN THE CITY OF SOUTH FULTON**

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia;

WHEREAS, Act 241, 2016 p. 3726, passed during the 2016 session of the Georgia General Assembly, creates the City of South Fulton Charter (the "Charter");

WHEREAS, the Charter provides that the City of South Fulton incorporates on May 1, 2017;

WHEREAS, Section 7.15(c) of the City Charter authorizes the elected Mayor and City Councilmembers to meet prior to May 1, 2017 and take actions to bind the City;

WHEREAS, on April 23, 2017, the Fulton County Board of Elections certified the election results of the runoff elections of the Mayor and City Councilmembers;

WHEREAS, the City is charged with preserving the health, safety, and welfare of its citizens;

WHEREAS, pursuant to Section 6.13 of the City Charter, the City's regulatory power allows for, among other things, to establish reasonable requirements for obtaining or keeping such licenses as the public health, safety, and welfare necessitate;

WHEREAS, pursuant to Section 7.16(d) of the City Charter, all Fulton County Ordinances, including the Fulton County Zoning Ordinance, remains effective in the City until the City exercises control over the area and adopts its own ordinance on the issue(s);

WHEREAS, the Mayor and City Council desire to study and make independent decisions on the licensing and regulation of age-restricted establishments which serve alcohol within the City;

WHEREAS, a reasonable amount of time is necessary in order to accomplish such acts, particularly in the light of the City's May 1, 2017 incorporation;

WHEREAS, the Mayor and City Council need a reasonable amount of time to study and decide appropriate licensing and regulation policies for the City; and

WHEREAS, the Mayor and City Council find that a ninety (90) day period of time to conduct review of alcohol licensing and regulations is a reasonable period of time.

BE IT HEREBY RESOLVED by the Mayor and City Council that:

1. The aforesaid recitals are not mere recitals, but are material portions of this Resolution;
2. During the period within the moratorium, the Mayor and City Council shall study and consider revisions to the City's licensing and regulations of age-restricted establishments which serve alcohol, which it adopted from Fulton County on April 29, 2017, effective May 1, 2017;
3. During the period within the moratorium, no applications for an alcohol permit or license for an age-restricted establishment shall be reviewed, discussed, or adopted by the Mayor and City Council;
4. During the period within the moratorium, no applications for an alcohol permit or license for an age-restricted establishment shall be accepted by Fulton County on behalf of the City of South Fulton;
5. This moratorium covers any applications for an alcohol permit or license sought to be filed at any time on or after May 1, 2017;
6. The moratorium shall commence at midnight on May 1, 2017 and shall end upon ninety (90) days' expiration therefrom, unless sooner terminated by resolution of the Mayor and City Council;
7. In the event that any one or more of the provisions contained in this Resolution or Moratorium shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of this resolution or moratorium but this resolution and moratorium shall be construed as if such invalid, illegal, or unenforceable provision has never been contained herein.
8. The within resolution and moratorium shall become effective on May 1, 2017.

The foregoing Resolution No. 2017-013 was offered by Councilmember Jackson, who moved its approval. The motion was seconded by Councilmember Willis, and being put to a vote, the result was as follows:

| | AYE | NAY |
|---|-------------------------------------|--------------------------|
| William "Bill" Edwards, Mayor | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Catherine Foster Rowell, <u>Mayor Pro Tem</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Carmalitha Lizandra Gumbs | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Helen Zenobia Willis | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Gertrude Naeema Gilyard | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Rosie Jackson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| khalid kamau | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Mark Baker | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

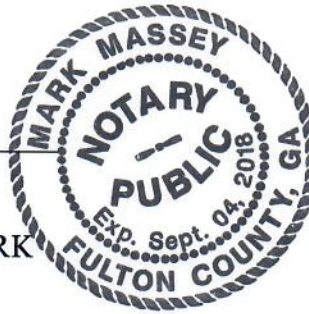
**** The Title Mayor Pro Tem will be added behind the name of the person selected.**

THIS RESOLUTION adopted this 29th day of April 2017. CITY OF SOUTH FULTON, GEORGIA

[Signature]
WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

[Signature]
Mark Massey, CITY CLERK



APPROVED AS TO FORM:

[Signature]
Josh Belinfante, INTERIM CITY ATTORNEY